

### § 3502.13

(c) A corporation organized under the laws of the United States or of any U.S. State or territory;

(d) A legal guardian of a minor United States citizen;

(e) A trustee of a trust where the beneficiary is a minor but the trustee is qualified to hold a permit or lease; or

(f) any other person authorized to hold a lease under 30 U.S.C. 184.

### § 3502.13 May foreign citizens hold permits or leases?

No. However, foreign citizens may hold stock in United States corporations that hold leases or permits if the laws, customs, or regulations of their country do not deny similar privileges to citizens or corporations of the United States.

### § 3502.15 Are there any additional restrictions on holding leases or interests in leases?

Yes. If you are a member of Congress or an employee of the Department of the Interior, except as provided in part 20 of this title, you may not acquire or hold any Federal lease, or lease interest. (Officer, agent or employee of the Department-see part 20 of this title; Member of Congress-see R.S. 3741; 41 U.S.C. 22; 18 U.S.C. 431-433). Also, BLM may not issue any lease or permit which causes a conflict of interest. See 5 CFR part 2635.

### § 3502.20 Will BLM issue a lease to me if I am not complying with the diligence requirements of the Mineral Leasing Act?

BLM will not issue you a lease or renew your lease, or approve a transfer of any lease or interest in a lease for you unless you are complying with section 2(a)(2)(A) of the Mineral Leasing Act (30 U.S.C. 201(2)(A)) for any of your existing leases that are subject to that provision. For Federal coal leases, BLM will determine compliance under §3472.1-2(e) of this title. If BLM issues you a lease when you are in violation of section 2(a)(2)(A), BLM must void your lease under §3514.30(b).

## 43 CFR Ch. II (10-1-08 Edition)

### HOW TO SHOW LEASE QUALIFICATIONS

### § 3502.25 Where do I file evidence that I am qualified to hold a permit or lease?

You must file evidence with BLM that you meet the qualification requirements in this subpart. You may file this evidence separately from your permit or lease application, but file it in the same office as your application.

### § 3502.26 May I supplement or update my qualifications statement?

After we accept your qualifications, you may send additional information to the same BLM office by referring to the serial number of the record in which your evidence is filed. All changes to your qualifications statement must be in writing. You must make sure that your evidence is current, accurate and complete.

### § 3502.27 If I am an individual, what information must I give BLM in my qualifications statement?

If you are an individual, send us a signed statement showing that:

(a) You are a U.S. citizen; and

(b) Your acreage holdings do not exceed the limits in §3503.37 of this part. This includes your holdings through a corporation, association, or partnership in which you are the beneficial owner of more than 10% of the stock or other instruments of control.

### § 3502.28 If I am an association or a partnership, what information must I give BLM in my qualifications statement?

Send us:

(a) A signed statement setting forth:

(1) The names, addresses, and citizenship of all members who own or control 10 percent or more of the association or partnership;

(2) The names of the members authorized to act on behalf of the association or partnership; and

(3) That the association or partnership's acreage holdings for the particular mineral concerned do not exceed the acreage limits in §3503.37 of this part.

(b) A copy of the articles of the association or the partnership agreement.